

2015

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 110 OF 2005 AN ORDINANCE ENTITLED "AMENDING FILE OF THE COUNCIL NO. 45 OF 1996 REGARDING THE COMPREHENSIVE PROGRAM FOR HISTORIC PRESERVATION IN THE CITY OF SCRANTON BY UPDATING THE LIST OF HISTORIC PROPERTIES" TO FURTHER UPDATE AND ADD THE CLELAND HOUSE AT 520 MADISON AVENUE TO THE HISTORIC PROPERTIES LIST.

WHEREAS, on April 14, 2014 the Historic Architectural Review Board ("HARB") met and voted to include the Cleland House at 520 Madison Avenue to the Historic properties list. A copy of the minutes of the meeting are attached hereto as Exhibit "A" and incorporated herein by reference thereto; and

WHEREAS, by letter dated March 16, 2015 the Historic Architecture Review Board requested the Law Department amend Ordinance 110 of 2005 to include the Cleland House at 520 Madison Avenue as a recognized historic cultural and artistic resource within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that File of the Council No. 110 of 2005 is hereby Amended to include The Cleland House at 520 Madison Avenue to list of historic properties

SECTION 1. In all other respects, File of the Council No. 45 of 1996 shall remain in full force and effect.

SECTION 2. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 3. This Ordinance shall become effective immediately upon approval.

CERTIFIED COPY

La: Reed City Clerk

Introduced in Council on above date and referred to Committee on RULES

March 26, 2015

La: Reed
City Clerk

April 9, 2015

Scranton, PA
Committee on Rules reports favorably on the within ordinance

[Signature]
Chairman

SIXTH ORDER:
April 1, 2015

035

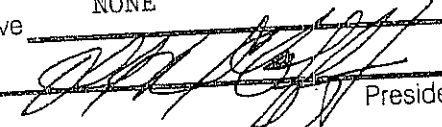
Rec
4-10-15

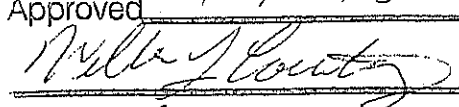
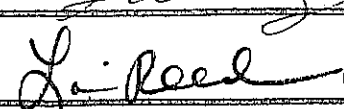
SECTION 4. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Option Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council
April 9, 2015

Receiving the Affirmative votes of Council Persons
WECHSLER, ROGAN, EVANS, GAUGHAN, MCGOFF

Negative NONE


President

Approved 4-10-15

Mayor

City Clerk
Certified Copy

HISTORIC ARCHITECTURAL REVIEW BOARD

SCRANTON PA

March 18, 2015

Jason Shrive, Esq.
Law Department
City of Scranton
Scranton, Pennsylvania 18503

Dear Mr. Shrive:

On April 14, 2014, the Scranton Historic Architectural Review Board, (HARB), met and voted to include the Cleland House at 520 Madison Avenue on the list of historic properties subject to HARB review. A copy of the minutes of that meeting is attached.

Changing the list of properties subject to HARB review required an amendment to the Ordinance that created the HARB, since that property list is part of the amendment. Therefore, I write to you to request amending the Ordinance in order to include the Cleland House as a recognized historic cultural and artistic resource within our city.

I thank you for your cooperation on this matter and remind you that there exists additional requests for amendments to the Ordinance that have as of yet have not received responses from your office.

Sincerely,

Richard J. Leonori, AIA

Chair

MEETING MINUTES

DATE:

Monday 04/14/2014

ATTENDEES:

Lee Borthwick, Ella Rayburn, Bill Lesiak, Wayne Evans, Michael Muller, Richard Leonori, Peter Cupple

ABSENT:

Ralph Scartelli

RL calls meeting to order:

Minutes are reviewed

PC motions, ER seconds

Tiffany Hannah

Represents the Sign Company for Law Firm on Lackawanna Ave
Pond Lehocky_Stern Giordano

Discussed alternatives

PC motions to approve design w/ Max dimension of 6", WL seconds

All approve.

Cleland House

Amend Ordinance to include Cleland House 520 Madison Ave

MM - Motions to approve, ER seconds

All in favor:

LB abstains

Discuss Richard's letter to Solicitor for Amendments and Addition of Cleland

PC motion, BL seconded

All approve

Discuss Richard's letter to Mayor on Board's membership

John Moore (at large seat) and Ralph Scartelli (contractor)

Discussed possible names:

MM motions w/ changes to include seat names, LB seconds

all approve

HARB Applications

LB walks through additions

RL thinks this needs to be passed by legal dept.

Discussion on Bond

LB Motions to accept application, as revised, for submission to Solicitor for review and approval., BL seconds

ALL approve

Current Activity within Harb

Posh - new sign to replace banner (possible brick sign - freestanding)

Website Info

group reviews and revises, add meeting times / "Second Monday of Month"

reference District and Landmark Buildings as listed in File of the Council 110, as amended.

LB motions to Adjourn, WE seconds



DEPARTMENT OF LICENSING, INSPECTIONS AND PERMITS

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANION, PENNSYLVANIA 18503 • PHONE: 570-348-4193 • FAX: 570-348-4171

May 26, 2015

Madison & Vine Associates
William K. Nasser, Jr. CPA
Managing Member
One Dunham Drive
Dunmore, PA 18512

****Sent Via Regular & U.S. Certified Mail****

**Re: 520 Madison Avenue
Cleland House Bed & Breakfast
(Automatic Sprinkler System)**

To Whom It May Concern,

On April 14, 2014 the Historic Architectural Review Board (HARB) met to determine whether the Cleland House located at 520 Madison Avenue should be included on the City's list of historic properties. The HARB voted yes and recommended 520 Madison Avenue be added to the historic property list. On April 9, 2015, City Council approved HARB's recommendation and added the Cleland House located at 520 Madison Avenue to be included on the list of historic properties. This ordinance is FOC # 93 of 2015.

As per the PA Uniform Construction Code section 403.24 titled "Historic buildings, structures and sites,"

- A "building code official may exclude an entire historic building or structure or part of the building or structure from compliance with the Uniform Construction Code if it meets all of the requirements in section 403.24."

Based on the above, I find that the Cleland House located at 520 Madison Avenue meets all of the requirements of the UCC section, 403.24. Therefore, the automatic sprinkler system requirement (IBC 2009 Section: 310.0 Residential Group R-1) is hereby waived. Please know a Building Code Official cannot waive the Uniform Construction Code's accessibility requirements.

The Cleland House located at 520 Madison Avenue (Basement, 1st & 2nd Floors) is not to be used, operated or occupied in any way until of Certificate of Occupancy has been issued.

If you have any comments or questions please contact me.

Sincerely,

Patrick L. Hinton
Director/BCO
Licensing, Inspections & Permits

Cc: Jason Shrive, City Solicitor
Cc: Patrick DeSarno, Chief of Fire
Cc: John Marino, Third Party Agency (NEIC)
Cc: Geff Blake, Esquire (via U.S. certified mail & e-mail)

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

7013 2250 0001 0569 7099

Sent To Madison & Vine Associates
Street, Apt. No. or PO Box No. One Dunham Drive
City, State, ZIP+4 Dunmore, PA 18512

US Form 3800 (April 2006) See Reverse for Instructions